

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

SKANDIA MUTUAL LIFE INSURANCE CO.,  
LÄNSFÖRSÄKRINGAR AB, KBC ASSET  
MANAGEMENT NV, and GIC PRIVATE  
LIMITED,

Plaintiffs,

1:21-cv-01333

-against-

VIATRIS INC. F/K/A MYLAN N.V., HEATHER  
BRESCH, RAJIV MALIK, KENNETH S. PARKS,  
ANTHONY MAURO, and JAMES NESTA,

Defendants.

**STIPULATION AND ORDER**

WHEREAS, on February 15, 2021, Plaintiffs in the above-captioned action filed a Complaint against Defendants Viatris Inc. f/k/a Mylan N.V., Heather Bresch, Rajiv Malik, Kenneth S. Parks, Anthony Mauro and James Nesta (hereinafter collectively “Defendants”);

WHEREAS, Defendants in this Action and Plaintiff’s allegations in this Action overlap in substantial part with the defendants and the allegations in *In re Mylan N.V. Sec. Litig.*, No. 1:16-cv-07926 (JPO) (S.D.N.Y.) (the “Class Action”)<sup>1</sup>, *Abu Dhabi Investment Authority v. Mylan N.V.*, No. 20-v-01342 (JPO) (S.D.N.Y.) (the “Abu Dhabi Action”), *MYL Litigation Recovery I LLC*, No. 19-cv-01799 (JPO) (S.D.N.Y) (the “MLR Action”) (collectively, the “Coordinated Actions”), and in *In re Mylan N.V. Sec. Litig.*, No. 2:20-cv-00955 (NR) (W.D.Pa.) (the “WDPa Action”);

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<sup>1</sup> On April 6, 2020, this Court in the Class Action issued an Opinion and Order certifying a class pursuant to Federal Rule of Civil Procedure 23(a) and (b)(3). Class Action, ECF No. 140.

WHEREAS, on June 29, 2021, the Court entered a joint stipulation and order that stayed further proceedings in in this Action pending a final decision on the sufficiency of the pleadings in the WDPa Action;

WHEREAS, on March 30, 2023, the Court granted Defendants' motion for summary judgment in the Class Action and denied Class Representatives' motion for partial summary judgment;

WHEREAS, on March 31, 2023, judgment was entered in the Class Action in favor of Defendants (the "Class Action Judgment");

WHEREAS, on April 26, 2023, Class Representatives filed a notice of appeal in the Class Action;

WHEREAS, on May 18, 2023, the Court granted in part and denied in part Defendants' motion to dismiss in the WDPa Action;

WHEREAS, on July 17, 2023, Defendants filed a motion for judgment on the pleadings in the WDPa Action;

WHEREAS, the parties have met and conferred regarding further proceedings in this Action;

THEREFORE, IT IS HEREBY STIPULATED AND AGREED, by and among the parties, through their undersigned counsel, that:

1. This case shall continue to be fully stayed until 90 days following the later of a decision by the United States Court of Appeals for the Second Circuit in the Class Action, or a decision on Defendants' motion for judgment on the pleadings in the WDPa Action (the "Stay Period");

2. The Parties agree that they will treat the Western District of Pennsylvania court's decision on the Defendants' motion for judgment on the pleadings as if that

decision had been made in this Action; and

3. The Parties agree that the terms of the Court's June 29, 2021 Stipulation and Order, other than those concerning the length of the Stay Period, remain operative in this case.

This stipulation may be signed in counterparts and by email via PDF.

IT IS SO STIPULATED.

July 19, 2023

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\* \* \*

**ORDER**

IT IS SO ORDERED.

DATED: July 24, 2023  
New York, New York



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J. PAUL OETKEN  
United States District Judge